

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-59-T - ORDER NO. 2010-67

JANUARY 27, 2010

IN RE:	Application of Happy Tours, LLC, 770 Ron	)	ORDER RESCINDING
	McNair Boulevard, Lake City, SC 29560	)	ORDER NO. 2008-179
	(Mailing Address: Post Office Box 1662,	)	
	Lake City, SC 29560) (District 6) for a Class	)	
	C Charter Bus Certificate.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to rescind Commission Order No. 2008-179 issued to Happy Tours, LLC (Happy Tours or the Applicant) as the result of the failure of the Applicant to comply with certain rules of this Commission. By Order No. 2008-179, dated March 12, 2008, Happy Tours was granted authority to operate as a motor carrier in South Carolina under a Class C Charter Bus Certificate.

In Order No. 2008-179, the Commission directed the Applicant to file, or cause to be filed, with the ORS the proper license fees, proof of liability insurance, and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2009) of the Department of Public Safety's Rules and

Regulations for Motor Carriers, within sixty (60) days of the date of the Order, or within such additional time as may be authorized by the Commission.

Further, Order No. 2008-179 instructed Happy Tours that the failure to either complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance, payment of license fees, and such other information required by law within sixty (60) days of the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, may result in the Applicant's authorization being revoked.

By Motion filed January 5, 2010, ORS requests rescission of Order No. 2008-179. According to ORS, Happy Tours has not filed proof of insurance as required by 26 S.C. Code Ann. Regs.103-171. As a result of Happy Tours' failure to provide to the ORS proof of insurance, ORS states that it has not issued a Certificate of Public Convenience and Necessity to the Applicant and requests that the Order No. 2008-179 be rescinded for the Applicant's failure to comply with the terms of the Order.

After consideration of ORS' Motion, the Commission is of the opinion, and so finds, that its previous Order No. 2008-179 granting Happy Tours, LLC authority to provide motor carrier services should be rescinded.

IT IS THEREFORE ORDERED:

1. That Commission Order No. 2008-179, dated March 12, 2008, granting authority to Happy Tours, LLC to provide motor carrier services under a Class C Charter Bus Certificate is rescinded.

2. That Docket No. 2008-59-T is closed.

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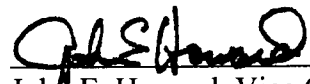
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3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)